

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

TERRELL NEWMAN,

Petitioner,

vs.

ROB JEFFREYS,

Respondent.

8:22CV22

MEMORANDUM AND ORDER

This matter is before the Court on two Motions for Continuance, [Filing No. 44](#); [Filing No. 45](#), filed pro se by Petitioner Terrell Newman (“Newman”), and an Unopposed Motion for Revised Progression Order, [Filing No. 46](#), filed by Newman’s appointed counsel, Andrew J. Hilger. Newman’s pro se motions are dated October 24, 2024, and were filed in this Court on October 30 and 31, 2024, and Newman asks for an extension of the October 31, 2024, deadline to file an amended petition because he had not yet been able to meet with Mr. Hilger. [Filing No. 44](#); [Filing No. 45](#). In the Unopposed Motion for Revised Progression Order, Mr. Hilger states he conferred with Newman in person on October 30, 2024, and asks the Court to extend the existing progression deadlines by 30 days as Newman is awaiting discovery materials from his trial counsel and needs additional time to confer about those materials with Mr. Hilger. [Filing No. 46](#). Upon consideration,

IT IS THEREFORE ORDERED that:

1. The Unopposed Motion for Revised Progression Order, [Filing No. 46](#), is granted.

2. Newman's pro se Motions for Continuance, [Filing No. 44](#); [Filing No. 45](#), are denied as moot. Newman is advised that all further documents and communications with the Court must be submitted through his appointed attorney, Mr. Hilger. See NEGenR [1.3\(i\)](#).

3. Petitioner shall have until **December 2, 2024**, to file a second amended petition.

3. If a second amended petition is filed, then Respondent shall have until **December 31, 2024**, to file an answer to the second amended petition along with a separate brief and any additional relevant state court records, if necessary.

4. After Respondent files an answer and brief, Petitioner shall have 30 days to file and serve a brief in response.

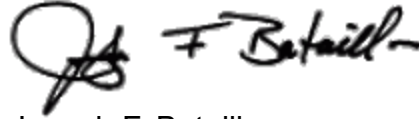
5. Respondent shall have 30 days after Petitioner's brief is filed to file and serve a reply brief. If Respondent elects not to file a reply brief, Respondent should inform the Court by filing a notice stating that he will not file a reply brief and that the merits of the petition are therefore fully submitted for decision.

6. The Clerk of the Court is directed to set the following pro se case management deadlines in this case using the following text:

- a. **December 2, 2024**: deadline for Petitioner to file second amended petition.
- b. **December 31, 2024**: deadline for Respondent to file answer and separate brief.

Dated this 4th day of November, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read "JF Bataillon". The signature is stylized with a large, circular initial "J" and a long, horizontal stroke extending to the right.

Joseph F. Bataillon
Senior United States District Judge